

Remarks

Claims 1, 8, 15 and 23 are amended. Claims 2, 9, 17, 24 and 27 are cancelled. No claims are added. Claims 1, 3 – 8, 10 – 16, 18 – 23, 25, 26, and 28 – 44 are pending. Reexamination and reconsideration of this application, as amended, are respectfully requested.

The Examiner indicated that claims 30 – 44 are allowed and that claims 7, 10, 14, 18, 22, 25 and 29 would be allowable if rewritten to be in independent form incorporating limitations from their respective base claims. The applicants thank the Examiner for the positive disposition of these claims.

Additionally, the Examiner rejected claims 1, 3 – 6, 8, 11 – 13, 15, 16, 19 – 21, 23, 26 28 as being anticipated by U.S. Patent No. 6,101,617 to Burcjhartt et al. (the "617 patent"). This rejection is respectfully traversed.

The specification of the present application relates to, among other things, a boot sequence for loading diagnostic modules to a system memory of a processing system and loading an operating system to the system memory (see, e.g., Figure 3). In one embodiment, the processing system may load machine-readable instructions for performing one or more diagnostic procedures to a first portion of RAM 4 (providing a system memory) from a BIOS 6. The processing system may then load the operating system to a second portion of the RAM 4. Following initialization of the operating system on the processing system, the operating system is prevented from re-mapping the machine-readable instructions of the diagnostic procedures in the system memory.

The '617 patent appears to show a hard drive 53 that is used to boot up a computer. A primary portion of the hard drive 53 includes an operating system and a secondary portion stores a configuration program, a diagnostics program and a reduced operating system. As part of a power on self test (POST) procedure, the user may select to boot to the configuration or diagnostics program and access the secondary portion without first accessing the primary portion. ['617 patent, col. 3, ll. 42 – 63] The '617 patent appears to suggest that the POST procedure may conditionally load instructions to system memory (e.g., in memory array 28 shown in Figure 1) from either the primary portion or the secondary portion, **but not both portions**. Additionally, the '617 patent does not appear to describe how such an operating system (e.g., from the primary portion) or diagnostic program (e.g., from the secondary portion) may be maintained in a system memory **following a POST procedure**.

Claim 1 distinguishes over the device shown in the '617 patent by reciting, among other things:

storing one or more diagnostic modules comprising machine-readable instructions for performing one or more diagnostic procedures of a processing system **in response to a boot sequence to initialize the processing system**;

loading machine-readable instructions to the system memory **in response to the boot sequence** for providing an operating system capable of addressing the system memory; and

inhibiting the operating system from remapping the machine-readable instructions **stored in the system memory** for performing the one or more diagnostic procedures.

The '617 patent, merely showing a hard drive storing an operating system on a primary portion and a diagnostic program on a secondary portion, does not disclose,

suggest or make obvious “inhibiting [an] operating system from remapping machine-readable instructions [which have been] ***stored in the system memory*** [in response to a boot sequence] for performing the one or more diagnostic procedures” as recited in claim 1. Accordingly, the applicants respectfully submit that claim 1, and claims 3 – 7 depending therefrom, distinguish over the device shown in the ‘617 patent. While differing in scope at least in part, claims 8, 10 – 16, 18 – 23, 25, 26, 28 and 29 recite limitations which are similar to those in claim 1 which are quoted above. Accordingly, the applicants respectfully submit that these claims similarly distinguish over the ‘617 patent.

PATENT APPLICATION

042390.P10200

The applicants respectfully submit that the application is now in form for allowance. Reconsideration of this case is respectfully requested. Please charge Deposit Account #02-2666 for any fee payment deficiencies associated with this case. If the Examiner finds that this case is in any way not in proper form for allowance, the applicants request that the Examiner contact the applicants' representative at (310) 252-7621.

Respectfully submitted,

Gurumoorthy et al.

by 

Paul G. Nagy
Assistant Director
Intel Corporation
Reg. No. 37,896

Dated: June 2, 2004

c/o Blakely, Sokoloff, Taylor & Zafman, LLP
12400 Wilshire Blvd., Seventh Floor
Los Angeles, CA 90025-1026
(310) 207-3800
(310) 820-5988